

DOCKET NO: 216379US26

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HIROSHI SUGIURA, ET AL. : EXAMINER: MARTIN, A.
SERIAL NO: 09/990,264 :
FILED: NOVEMBER 23, 2001 : GROUP ART UNIT: 1745
FOR: FUEL CELL OUTPUT :
CHARACTERISTIC ESTIMATION
APPARATUS AND OUTPUT
CHARACTERISTIC ESTIMATION
METHOD, FUEL CELL SYSTEM AND
VEHICLE HAVING THE SAME, AND
FUEL CELL OUTPUT CONTROL
METHOD AND DATA STORAGE
MEDIUM

REQUEST TO RESET REJECTION DUE DATE BASED ON FAILURE TO RECEIVE
OFFICE ACTION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants, through Counsel of record respectfully request that the rejection due date for the above-identified application be reset to August 29, 2007 due to the fact that the Office Action was not received by Applicant's Attorney.

The facts concerning this matter are as follows:

A rejection was issued by the U.S. Patent and Trademark Office on March 23, 2007 and was never downloaded by our docketing department. Our docketing department maintains copies of all PAIR e-mail notifications (copy attached for March 23, 24, and 26) and records exactly what they are downloading next to the serial number. On August 23, 2007, our docketing department checked our e-mail notification list and no rejection

Application No. 09/990,264
Inventor: HIROSHI SUGIURA, ET AL.

available in the IFW on that day. However, PAIR now shows that the rejection was mailed on March 23, 2007. Any due dates resulting from the Patent Office are entered into the computer.


It is believed that the above discussion and documents enclosed herewith clearly prove that the rejection was never e-mailed on March 23, 2007.

Accordingly, it is requested that the Office Action due dated be reset.

The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Steven P. Weihrouch
Attorney of Record
Registration No. 32,829

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

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Jane Braumann

From: PAIR_eOfficeAction@uspto.gov
Sent: Friday, March 23, 2007 5:53 AM
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Mar 23, 2007 05:46:24 AM

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Application Attorney Docket No.

10020015	282667US8X
10100145	220749US2
10120480	221948US2
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10349997	233221US2SX
10378892	234477US2
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10706977	245166US3CIP
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11681501	304332US0X
11681618	303449US26DIV
11682474	304377US2
11682478	304662US2
11685896	305406US8X

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Application Attorney Docket No.

09842862	206611US2RD
09864337	209072US2RD
10022775	217399US8
10166648	224330US
10166921	271890US20
10173243	224073US2
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Mar 26, 2007 05:38:17 AM

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Application Attorney Docket No.

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